GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:6847
ANSWERED ON:09.05.2003
APPOINTMENT OF JUDGES
KAMAL NATH

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether he was favoured a relook on the appointmentof judges to attract the best legal talent in the judiciary as reported in the Statesman`dated the March 2,2003;

(b) if so, whether inability to attract best available legal talent in the judicial appointment has been the major road block in the judiciary; and

(c) if so, the concrete steps the Government proposed to take in this regard?

Answer

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY):

(a) and (b) Yes, Sir. However, the statement made was in context of the Government`s inability to pay salary at par with the practising lawyers` income and reluctance of top lawyers to come to the Bench. Otherwise, Judges are selected keeping in view their educational qualifications, nature and extent of practice, length of the practice, the field of specialization and professional income for the last three years. Besides this, the competence of the person, his judicial potential, temperament and integrity are also kept in mind at the time of appointment.

(c) The Government is committed to setting up of a National Judicial Commission, whichwould make recommendations for appointments of Judges/Chief Justice of the Supreme Court and the High Courts, as also drawup a Code of Ethics for Judges.